

AN ORDINANCE 2006-02-09-0196

AMENDING THE LAND USE PLAN CONTAINED IN THE NOGALITOS / S. ZARZAMORA COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.33 ACRES LOCATED AT 1126 PRADO STREET, 1128 PRADO STREET, AND 943 THEO AVENUE WEST FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE.

\* \* \* \* \*

**WHEREAS**, the Nogalitos / S. Zarzamora Community Plan was adopted on September 30, 2004 by City Council as a component of the City Master Plan adopted May 29, 1997; and

**WHEREAS**, the Unified Development Code requires consistency between zoning and the Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Master Plan following a public hearing and review by the Planning Commission; and

**WHEREAS**, a public hearing was held on January 11, 2006 by the Planning Commission allowing all interested citizens to be heard; and

**WHEREAS**, the San Antonio City Council has considered the effect of this amendment to the Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

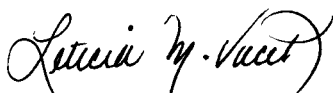
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Nogalitos / S. Zarzamora Community Plan, a component of the Master Plan of the City, is hereby amended by changing the use of approximately 0.33-acres located at 1126 Prado Street, 1128 Prado Street, and 943 Theo Avenue West from Medium Density Residential land use to Mixed Use land use. All portions of land mentioned are depicted in Attachments "I" and "II" attached hereto and incorporated herein for all purposes.

**SECTION 2.** This ordinance shall take effect February 19, 2006.

**PASSED AND APPROVED** on this 9<sup>th</sup> day of February 2006.

ATTEST:

  
City Clerk

  
M A Y O R  
PHIL HARDBERGER

APPROVED AS TO FORM:

  
for City Attorney

# Agenda Voting Results

**Name:** P-1.

**Date:** 02/09/06

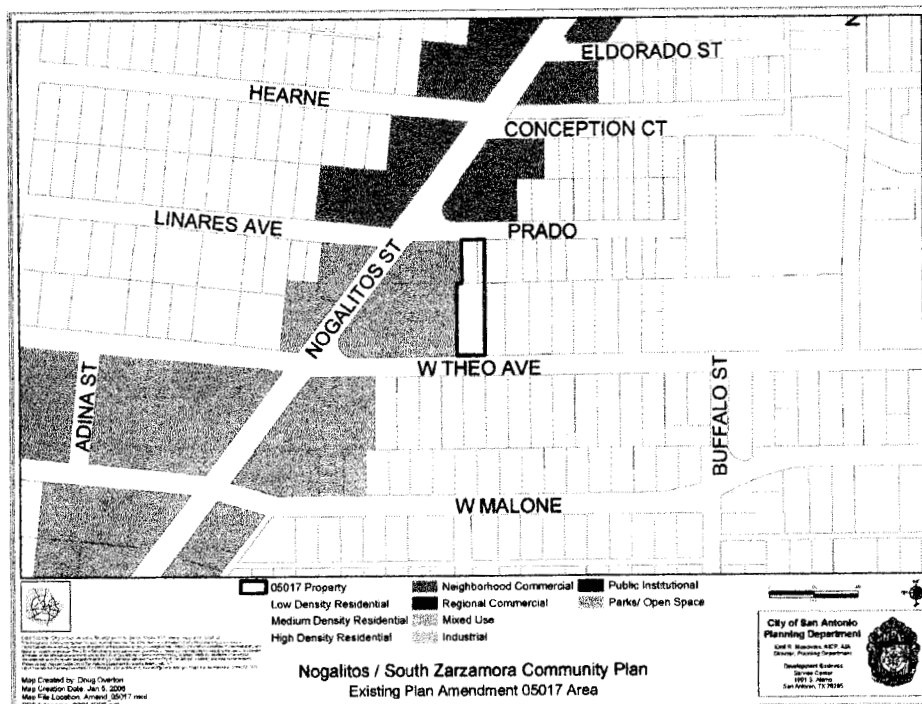
**Time:** 01:57:54 PM

**Vote Type:** Multiple selection

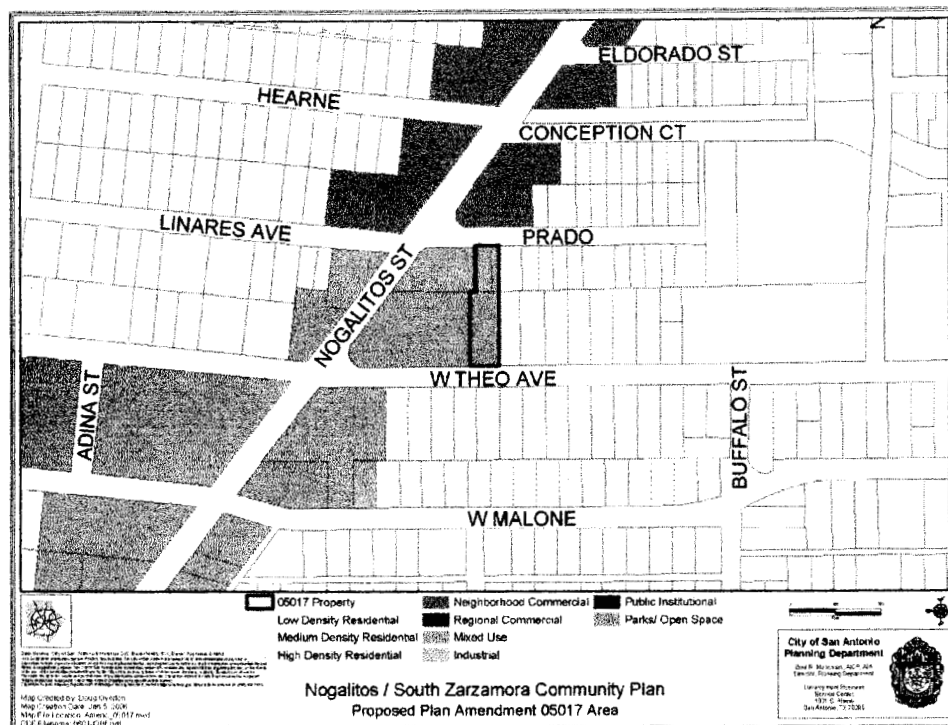
**Description:** PLAN AMENDMENT CASE #05017 (District 5): An Ordinance amending the land use plan contained in the Nogalitos/S. Zarzamora Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.33-acres located at 1126 Prado Street, 1128 Prado Street, and 943 Theo Avenue West from Medium Density Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

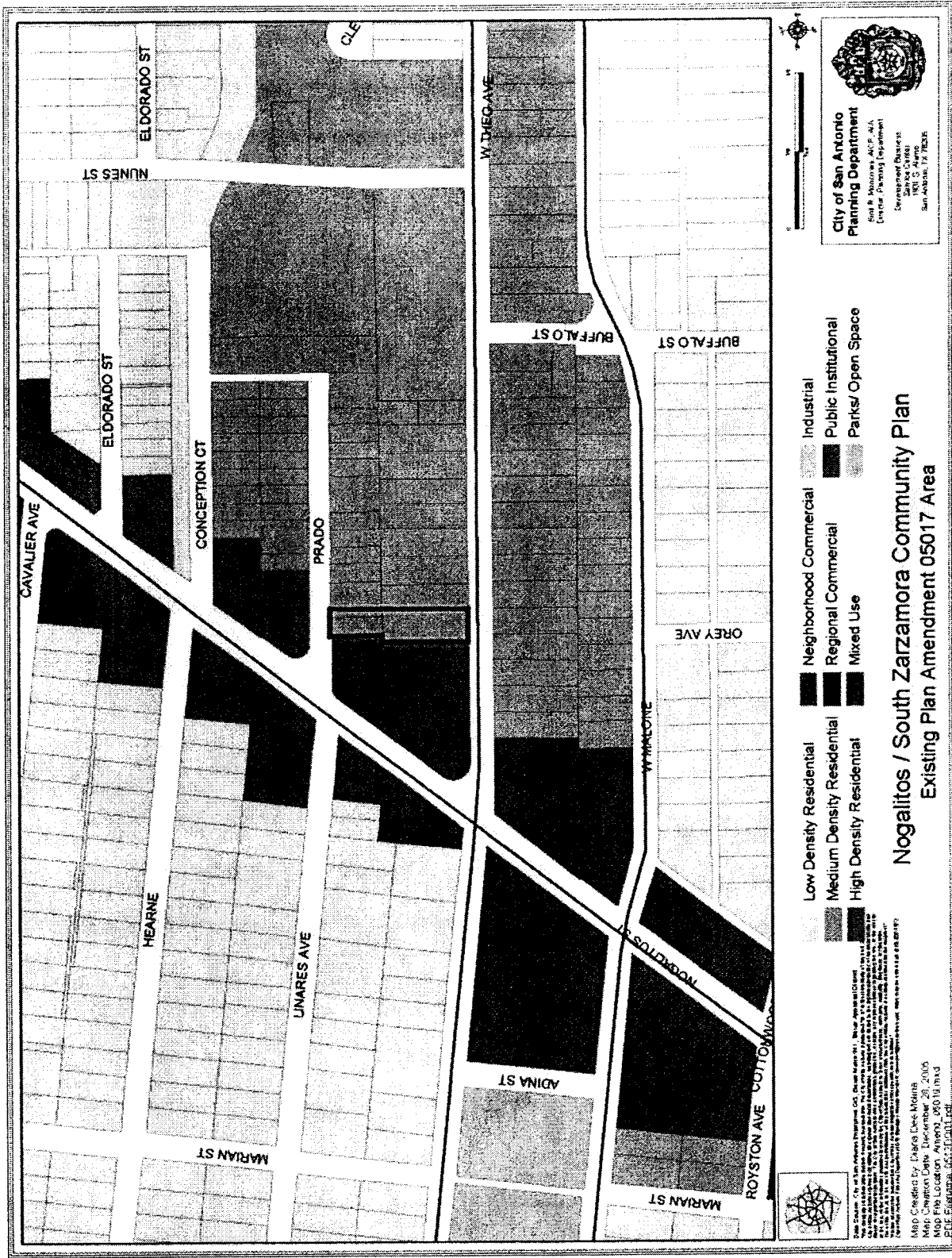
**ATTACHMENT I**  
**Land Use Plan as adopted:**



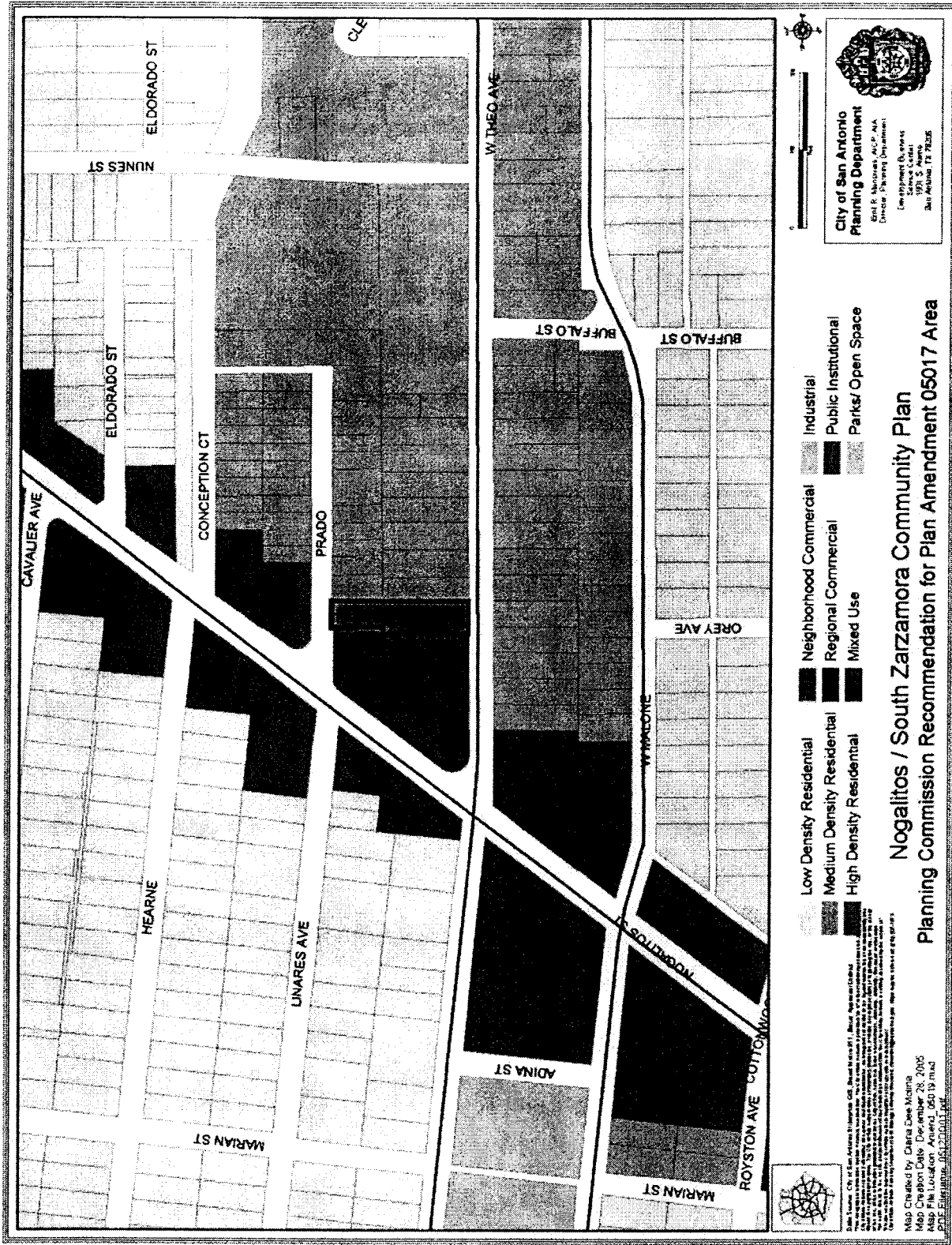
**ATTACHMENT II**  
**Proposed Amendment:**



Land Use Plan as adopted:



Proposed Amendment:



# City of San Antonio Planning Department

## Plan Amendment Recommendation

### Plan Amendment Application Case No.: 05017

Applicant: Brown, PC

Owner: Guadalupe Mora, and Francisco & Mary Herrera

Neighborhood/Community/Perimeter Plan: Nogalitos / S. Zarzamora Community Plan

The applicant is requesting an amendment to the Land Use Plan from Medium Density Residential land use to Mixed Use land use.

☒ Plan Amendment Map – Attachment 1

City Council District: 5

City Council Meeting Date: February 9, 2006

### Land Use Analysis:

Property Location: 1126 Prado Street, 1128 Prado Street, and 943 Theo Avenue West

Acreage: 0.33

Current Land Use of site: single family residential

Adjacent Land Uses:

N: Laundromat, martial arts studio, and La Cocina Restaurant

E: single family residential

S: single family residential, CVS, and Santos Produce Meat Market

W: Handy Andy, Southside Credit Union, vacant lot, and Advanced Auto

Proposed Land Use/Development: The applicant is proposing an addition of a Walgreen's drive through to the existing business. The applicant plans a vegetative buffer adjacent to the residential parcels.

Comments on impact to current and future land uses adjacent to site: The Plan calls for the subject properties to be Medium Density Residential land use and the existing Walgreen's and Transmission Repair Shop to be Mixed Use land use.

The Plan states, Medium Density Residential uses include single family residential uses as well as duplexes, triplexes, fourplexes, town homes, row houses and zero lot line configurations. This form of development should be located along residential roads or collector streets and can serve as a buffer between Low Density Residential and more intense land uses such as commercial structures.

Mixed-use allows for a concentrated, well structured, and integrated blend of residential, retail, service, office, entertainment, leisure, and other related uses at increased densities. Mixed-use development is preferred along arterials in a nodal pattern around a transit stop, where density would decrease towards the edge of the node.

The extension of Mixed Use would have minimal impact on neighborhood integrity, and expansion of off-street parking would improve access to this current well-established business. The subject properties are to the rear of the existing Walgreen's and have direct access to both Theo Avenue and Prado Street.

☒ Minimal Impact

### Transportation/Infrastructure Analysis:

Major Thoroughfare Plan Designations: Nogalitos Street is a Secondary Arterial Type B with 70 to 86 feet of ROW.

Other streets: Prado Street at this location dead ends approximately 450 feet to the east and is a local street with marginal access of 38 feet in ROW. Theo Avenue is a one-way collector with traffic directed westbound.

Comments: Per the submitted Traffic Impact Analysis, which compares the existing R-4 and C-3 uses with the applicant's request; peak hour trips will change from 104 to 127.

☒ Minimal Impact

### Community Facilities Analysis:

Nearby Public Facilities: St. James Middle School is approximately 1000 feet to the east.

Comments: Due to locations, land use request, size of properties, and available access to the subject properties no impact to community facilities is expected.

☒ Minimal Impact

# City of San Antonio Planning Department

## Plan Amendment Recommendation

### Staff Recommendation:

☒ Supports

Comments: The area along the immediate corridor warrants further evaluation to attract and support a variety of businesses in a walkable, mixed-use environment and possibly rezone to enhance Nogalitos Street. The request for Mixed Use land use expands upon the existing Mixed Use category. The existing structures have been reviewed by the Historic Preservation Office and hold no historic significance. The request does not adversely affect the health, safety, or welfare of the general public.

### Planning Commission Recommendation:

Meeting & Public Hearing Date: January 11, 2006

☒ Supports ☒ Resolution Attached

Newspaper Publication Date of Public Hearing: December 22, 2005

No. Notices mailed 10 days prior to Public Hearing: 68

Registered Neighborhood Association(s) Notified: Collins Garden NA and Palm Heights NA

Comments: Nogalitos/S. Zarzamora Planning Team is in support of the amendment.

### Zoning Commission Supplemental Information:

Current zoning district: R-4

Proposed zoning district: C-2

Zoning Commission Public Hearing Date: January 17, 2006

☒ Supports ☐ Recommends Denial

### Planning Department Staff:

Emil R. Moncivais, AICP, AIA

Planning Director

Nina Nixon-Mendez, AICP

Planning Manager

Case Manager: Zenon F. Solis

Planner II

Phone No.: 207-7816

**RESOLUTION NO. 06-01-02**

**RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NOGALITOS / S. ZARZAMORA COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE FOR AN AREA OF APPROXIMATELY 0.33-ACRES LOCATED AT 1126 PRADO STREET, 1128 PRADO STREET, AND 943 THEO AVENUE WEST.**

**WHEREAS**, City Council approved the Nogalitos / S. Zarzamora Community Plan as an addendum to the Master Plan on September 30, 2004; and

**WHEREAS**, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

**WHEREAS**, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

**WHEREAS**, the San Antonio Planning Commission held a public hearing on January 11, 2006 and **APPROVED** the amendment on January 11; and

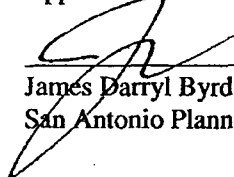
**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:**

**SECTION 1:** The amendment to the Nogalitos / S. Zarzamora Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

**PASSED AND APPROVED ON THIS 11<sup>th</sup> DAY OF JANUARY 2006.**

Approved:

  
James Darryl Byrd, Chairperson  
San Antonio Planning Commission

Attest:

  
Executive Secretary  
San Antonio Planning Commission